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APRYL WESTON
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MAKIAH MILES and APRYL
WESTON,

15 Defendants.
16

Case No. 1:22-cr-00129-ADA-BAM

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER**

Date: November 8, 2023

Time: 1:00 p.m.

Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Joseph Barton, counsel for plaintiff, James Raymond
19 Homola, counsel for Makiah Miles, and Assistant Federal Defender Erin Snider, counsel for
20 Apryl Weston, that the Court may continue the status conference currently scheduled for October
21 11, 2023, at 1:00 p.m. to November 8, 2023, at 1:00 p.m.

22 The parties agree and request that the Court make the following findings:

- 23 1. By previous order, this matter was set for a status conference on October 11, at
24 1:00 p.m.
- 25 2. The government has provided 3,449 Bates-marked pages of discovery in this
26 matter.
- 27 3. Counsel for Ms. Miles and counsel for Ms. Weston require additional time to
28 review discovery, consult with their clients regarding their options, conduct necessary

1 investigation, and engage in plea negotiations.

2 4. Counsel for Ms. Miles and counsel for Ms. Weston believes that failure to grant
3 the above-requested continuance would deny them the reasonable time necessary for effective
4 preparation, taking into account the exercise of due diligence.

5 5. The government does not object to the continuance.

6 6. Based on the above-stated findings, the ends of justice served by continuing the
7 case as requested outweigh the interest of the public and the defendant in a trial within the
8 original date prescribed by the Speedy Trial Act.

9 7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
10 *et seq.*, within which trial must commence, the time period of October 11, 2023, to November 8,
11 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

12 **IT IS SO STIPULATED.**

13 Respectfully submitted,

14
15 PHILLIP A. TALBERT
United States Attorney

16 Date: October 4, 2023

/s/ Joseph Barton
17 JOSEPH BARTON
Assistant United States Attorney
18 Attorney for Plaintiff

19 Date: October 4, 2023

/s/ James Raymond Homola
20 JAMES RAYMOND HOMOLA
Attorney for Defendant
21 MAKIAH MILES

22 HEATHER E. WILLIAMS
23 Federal Defender

24 Date: October 4, 2023

/s/ Erin Snider
25 ERIN SNIDER
Assistant Federal Defender
26 Attorney for Defendant
27 APRYL WESTON
28

ORDER

IT IS SO ORDERED. The status conference currently scheduled for October 11, 2023, at 1:00 p.m. is hereby continued to **November 8, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. The time period of October 11, 2023, to November 8, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: **October 4, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE